

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Cr.A. No.
	:	
RAFAEL SANTIAGO,	:	
	:	
Defendant.	:	

**MOTION REQUESTING LEAVE  
TO WITHDRAW AS COUNSEL**

**COMES NOW**, John S. Malik, counsel for Defendant Rafael Santiago, and respectfully requests that this Honorable Court grant counsel leave to withdraw his appearance on behalf of Defendant Rafael Santiago in the above captioned criminal action based upon the following grounds:

1. Counsel entered his appearance on behalf of Defendant Rafael Santiago on February 2, 2007.
2. Subsequently, after learning additional information regarding the subject criminal action from the United States Attorney's Office, counsel became aware of an irreconcilable conflict of interest that precludes counsel from representing Defendant Santiago.
3. As a consequence of counsel's conflict of interest, counsel seeks leave of court to withdraw from representation of Defendant Santiago in connection with the subject criminal action.

**WHEREFORE,** John S. Malik, counsel for Defendant Rafael Santiago respectfully requests that this Honorable Court grant counsel leave to withdraw his appearance on behalf of Defendant Rafael Santiago.

Respectfully submitted,

/s/ John S. Malik

JOHN S. MALIK

East 14th Street

Wilmington, Delaware 19801

(302) 427-2247

Dated: March 1, 2007

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Cr.A. No. 07-CR-014-SLR
	:	
RAFAEL SANTIAGO,	:	
	:	
Defendant.	:	

**ORDER**

**AND NOW, TO WIT**, this \_\_\_\_ day of \_\_\_\_\_,  
A.D., 2007, counsel's Motion Requesting Leave to Withdraw his appearance on behalf of  
Defendant Rafael Santiago having been duly heard and considered,

**IT IS SO ORDERED:**

That John S. Malik is hereby granted leave of Court to withdraw his appearance  
on behalf of Defendant Rafael Santiago in the above captioned criminal action.

\_\_\_\_\_  
J.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Cr.A. No. 07-CR-014-SLR
	:	
RAFAEL SANTIAGO,	:	
	:	
Defendant.	:	

**CERTIFICATE OF SERVICE**

I, John S. Malik, hereby certify this 1st day of March, A.D., 2007, that a copy of the attached **Motion Requesting Leave to Withdraw as Counsel** was served electronically upon the individual listed below at the following address:

Douglas E. McCann, Esquire  
Assistant United States Attorney  
United States Attorney's Office  
Nemours Building  
1007 Orange Street, Suite 700  
Wilmington, Delaware 19801

/s/ John S. Malik  
\_\_\_\_\_  
JOHN S. MALIK  
100 East 14th Street  
Wilmington, Delaware 19801  
(302) 427-2247